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22 Attorneys for Plaintiff and
23 Counterdefendant Moog Inc.

24 **UNITED STATES DISTRICT COURT**
25 **CENTRAL DISTRICT OF CALIFORNIA**

26 MOOG INC.,

27 Plaintiff,

28 v.

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM,
and DOES NOS.1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR
Hon. George H. Wu

**DECLARATION OF KAZIM A.
NAQVI IN SUPPORT OF
PLAINTIFF AND COUNTER-
DEFENDANT MOOG INC.'S
NOTICE OF MOTION AND
MOTION TO ENFORCE
COMPLIANCE WITH THE
MARCH 11, 2022 STIPULATED
TRO (DKT. 25), AND FOR
MONETARY AND ADVERSE
INFERENCE SANCTIONS FOR
CONTEMPT AND SPOLIATION**

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[Filed concurrently with Notice of Motion and Motion; Declaration of Bruce Pixley; Declaration of Kevin Crozier; [Proposed] Order]

Date: April 13, 2023

Time: 8:30 a.m.

Ctrm.: 9-D

Complaint Filed: March 7, 2022

Counterclaims Filed: January 30, 2023

DECLARATION OF KAZIM A. NAQVI

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2 1. KAZIM NAQVI, under penalty of perjury and pursuant to 28 U.S.C.
3 § 1746, declares the following to be true and correct:

4 2. My name is Kazim Naqvi. I am an associate at Sheppard, Mullin,
5 Richter & Hampton LLP. I am over the age of 18 years old. I have personal
6 knowledge of the matters set forth herein and if called as a witness, I could and
7 would competently testify as to all facts set forth herein. I am counsel for plaintiff
8 and counterdefendant Moog Inc. (“Moog”) and I provide this declaration in
9 support of Moog’s Notice of Motion and Motion to Enforce Compliance with the
10 March 11, 2022 Stipulated TRO (Dkt. 25), and for Monetary and Adverse
11 Inference Sanctions for Contempt and Spoliation (the “Motion”).

12 3. On or about October 25, 2022, Moog served a subpoena for
13 documents to former Moog employee and current or former Skyryse personnel
14 Lori Bird. On or about November 17, 2022, Bird produced approximately 90
15 documents in response to the subpoena.

16 4. On or about October 25, 2022, Moog served a subpoena for
17 documents to third party Hummingbird Aero, LLC (“Hummingbird”), an entity
18 that does business with defendant Skyryse, Inc. (“Skyryse”). On or about January
19 17, 2023, Hummingbird (through outside counsel) produced approximately 90
20 documents in response to the subpoena.

21 5. On or about October 25, 2022, Moog served a subpoena for
22 documents to third party Rex Hyde, an employee of Hummingbird. On or about
23 February 6, 2023, Hyde (through outside counsel) produced 196 documents in
24 response to the subpoena.

25 6. Without any advanced notice or warning, on February 17, 2023 at
26 9:08 p.m. PT (the business day before Moog’s trade secret identification was due
27 for service), Skyryse produced 2,920 documents (totaling 24,821 pages) from its
28 current or former personnel Lori Bird. Attached hereto as Exhibit “A” is a true and

1 correct copy of a cover letter from Skyryse's counsel accompanying the February
2 17, 2023 production.

3 7. Attached hereto as Exhibit "B" is a true and correct copy of a 44-page
4 February 21, 2023 letter from Moog's counsel to Skyryse's counsel describing
5 Skyryse's ongoing violations of the March 11, 2022 Stipulated TRO (Dkt. 25) (the
6 "Letter").

7 8. Attached hereto as Exhibit "C" is a true and correct copy of a March
8 6, 2023 response letter from Skyryse's counsel to Moog.

9 9. I graduated law school in 2014. I am a C1 level associate at Sheppard
10 Mullin, and my discounted billing rate is \$850/hour. I spent approximately 24
11 hours in connection with the investigation and preparation of the Letter, including
12 working with Moog's experts to analyze the various document productions from
13 multiple third parties and Skyryse. I was the leading attorney in terms of analyzing,
14 researching, and drafting the Letter. I spent approximately 15 hours in connection
15 with the research, preparation, and drafting of the Motion. I was the leading
16 attorney in terms of analyzing, researching, and drafting the Motion. I anticipate
17 spending 10 hours in connection with the research, preparation, and drafting of the
18 Reply Brief in support of the Motion, as well as an additional 2 hours to prepare
19 for and attend any argument on the Motion. With a total of 41 hours in connection
20 with the Letter and Motion, Moog has incurred at least \$34,850 in attorneys' fees.
21 This amount does not account for fees and costs incurred by Moog for: 1) dozens
22 of hours of work from Moog's experts in connection with the Letter and Motion,
23 including the preparation of the concurrently filed declarations of experts Bruce
24 Pixley and Kevin Crozier; 2) several hours in attorneys' fees from other Sheppard
25 Mullin team members in reviewing and editing the Letter and Motion.

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1 I declare that the foregoing is true and correct under penalty of perjury
2 under the laws of the United States of America.

3 Executed this 16th day of March, 2023, in Los Angeles, California.

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5 Dated: March 16, 2023

6 /s/ Kazim Naqvi

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